

1 GEORGE G. WEICKHARDT (SBN 58586)  
2 WENDY C. KROG (SBN 257010)  
3 ROPERS, MAJESKI, KOHN & BENTLEY  
201 Spear Street, Suite 1000  
San Francisco, CA 94105  
Telephone: (415) 543-4800  
4 Facsimile: (415) 972-6301  
Email: gweickhardt@rmkb.com  
5 wkrog@rmkb.com

6 Attorneys for Defendant  
CHASE BANK USA, N.A.

8 UNITED STATES DISTRICT COURT  
9 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

10 VIRGILIO ESCAMILLA,  
11  
12 Plaintiff,

13 v.

14 CHASE BANK USA, N.A.,  
15 and DOES 1 through 10, inclusive,  
16 Defendants.

CASE NO. 08 CV 1536 JM WMC

**PROOF OF SERVICE**

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28

**CASE NAME:** *Escamilla v. Chase Bank USA, N.A.*

**ACTION NO.:** 08 CV 1536 JM WMC

**PROOF OF SERVICE**

1. At the time of service I was over 18 years of age and not a party to this action.
2. My business address is 201 Spear Street, Suite 1000, San Francisco, CA 94105.
3. On September 5, 2008, I served the following documents:

**NOTICE OF MOTION AND MOTION TO DISMISS [FED. R. CIV. P. 12(b)(6) AND TO STRIKE [FED. R. CIV. P. 12(f)]**

**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO DISMISS [FED. R. CIV. P. 12(b)(6) AND TO STRIKE [FED. R. CIV. P. 12(f)]**

**[PROPOSED] ORDER GRANTING DEFENDANT'S MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(6) AND TO STRIKE PURSUANT TO FED. R. CIV. P. 12(f)**

4. I served the documents on the persons at the address below (along with their fax numbers and/or email addresses if service was by fax or email):

*Attorneys for plaintiff*

Matthew M. McCormick, Esq.  
DOAN LAW FIRM, LLP  
2850 Pio Pico Drive, Suite D  
Carlsbad, CA 92008  
Telephone: (760) 450-3333  
Facsimile: (760) 720-6082  
E-mail: matt@doanlaw.com

5. I served the documents by the following means:

a. ☒ By United States mail: I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses specified in item 4 and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

b. ☐ By overnight delivery: I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in item 4. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

c. ☐ By email or electronic transmission: Based on an agreement between the parties and/or as a courtesy, I sent the documents to the persons at the email addresses listed in item 4. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

1 I declare under penalty of perjury under the laws of the United States that the foregoing is  
2 true and correct.

3 Date: September 5, 2008

4 /s/ Damyta Jones  
Damyta Jones

Ropers Majeski Kohn & Bentley  
A Professional Corporation  
San Francisco